

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11 UNITED STATES OF AMERICA,)	No. CR-09-00547 SBA
)	
12 Plaintiff,)	ORDER GRANTING STIPULATED
)	REQUEST TO CONTINUE HEARING
13 v.)	DATE TO JANUARY 26, 2010 AND TO
)	EXCLUDE TIME UNDER THE SPEEDY
14 KAO KWENG SAEPHAN,)	TRIAL ACT
)	
15 Defendant.)	Date: January 12, 2010
)	Time: 9:00 a.m.
16)	Court: Hon. Sandra Brown
)	Armstrong
17)	

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19 The parties jointly requested that the hearing in this matter be continued from January 12,

20 2010 to January 26, 2010, and that time be excluded under the Speedy Trial Act between January

21 7, 2010 and January 26, 2010 to allow for the effective preparation of counsel, taking into

22 account the exercise of due diligence.

23 The government has produced substantial discovery to defendant regarding five separate

24 burglaries and six stolen firearms (over 130 pages of reports and 8 CDs of photographs). The

25 government has also produced recorded telephone calls and other digital discovery. Defense

26 counsel has been given the opportunity to review the physical evidence recovered in this case

27 and may need additional time to continue to review that evidence. Defense counsel also needs

28 additional time to conduct legal research regarding potential immigration consequences for

1 defendant of a conviction in this case. The parties agree the ends of justice served by granting
2 the continuance outweigh the best interests of the public and defendants in a speedy trial. For
3 these stated reasons, the Court finds that the ends of justice served by granting the continuance
4 outweigh the best interests of the public and defendants in a speedy trial. Good cause appearing
5 therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),

6 **IT IS HEREBY ORDERED** that the status hearing in this matter is continued from
7 January 12, 2010 to January 26, 2010 at 9:00 a.m., and that time between January 7, 2010 and
8 January 26, 2010 is excluded under the Speedy Trial Act to allow for the effective preparation of
9 counsel, taking into account the exercise of due diligence.

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11 DATED:1/11/10


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge